

REMARKS

Claims 1-8 are pending. By this Response, claims 1 and 7 are amended. Reconsideration and allowance based on the above amendments and the following remarks are respectfully requested.

Claims 1-7 stand rejected on 35 U.S.C. § 103(a) in view of Nee (U.S. Patent Publication 2003/0013425) in view of Acker (U.S. Patent 7,263,329); and claim 8 stands rejected on 35 U.S.C. § 102(e) in view of Acker. These rejections are respectfully traversed.

Claims 1 and 7 each recite, *inter alia*, determining whether said broadcasting wave can be received in a predetermined region by receiving a reception signal from each channel while changing said channel number and making said determination for the reception signal received from each channel. Nee fails to teach this feature.

Nee teaches a system in which radio stations are programmed in a vehicle based on the area the vehicle is located. Various broadcast sources are stored in a database. A GPS device can be used to identify the vehicles position and calculate the broadcast stations within a certain proximity to the position. Therefore, along with the broadcast source from the database, a list based on the GPS location also provides the various broadcast stations within the vehicle range. However, this list does not determine the reception ability of any of these broadcast stations, but only that these stations are located within the vehicle's range.

Nee fails to teach or suggest switching through each channel received at a particular location of the vehicle to determine its availability at that particular location. Nee relies upon channels previously stored in a database or provided from a list based on a GPS location, but does not teach or suggest determining based on each channel the reception ability of those channels.

The Examiner states:

“However Nee does not explicitly teach an action may take place while changing said channel number. Yet Nee teaches the ability to change channels (Page 3, [0035]). Therefore, it would be obvious to one of ordinary skill in the art that these occurrences could take place as the user was changing the channel.”

The ability to change channels does not teach or suggest receiving a reception for each channel in a determination of the reception of each channel as claimed by Applicants. Nee relies upon a database not a dynamic analysis of the available channels when changing through the channels. Further, the fact that channels can be changed does not suggest that Nee systems can be modified in the manner claimed. Where is the teaching or suggestion in the analyzing of each channel? Where is the teaching or suggestion that a determination is made for each broadcast wave? There is none. The Examiner’s reasoning is purely based upon impermissible hindsight without actual application of relative facts from the references or knowledge of one having ordinary skill in the art to provide such teachings.

Further, Acker fails to teach or suggest a broadcasting wave which includes a digital video signal, a digital audio signal and a service information where said service information indicates at least a channel number, a transition broadcasting station name and a broadcast target area, as recited in claims 1, 7 and 8.

Acker teaches a receiver that can receive various content from different sources. Each source provides different information, for example, audio, video, program information or auxiliary information. Each of this information is obtained from a different broadcast wave. Although Acker teaches that “a number of service components in broadcast channel can be related to the same service again including the audio component and a video and/or digital data stream comprising auxiliary information, or another audio component to insert advertising information relating to the audio or video program,” this only refers to a broadcast channel and not a broadcast wave. The broadcast channel is not a broadcast wave since it can include

numerous different broadcast waves and components and thus does not teach Applicants' claimed broadcast wave. Applicants broadcast wave includes each of a digital video signal, a digital audio signal and service information.

Moreover, nowhere does Acker teach or suggest a service information including at least a channel number, a transmission broadcasting station name and a broadcast target area. Acker only teaches or suggests information in the broadcast wave that is directed to information for a user and not information pertaining to the broadcast wave itself.

Applicants' claims further recite extracting the service information and registering the service information. Neither Nee or Acker teaches extracting service information which relates to the broadcast wave itself where it is extracted and registered in the manner claimed.

Applicants remind the Examiner that each of the respective claim elements must be met by the teaching or suggestion of the prior art. The combination of Nee and Acker fails to teach each and every feature and their relationship with each other as recited in the claims, as required. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

Conclusion

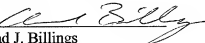
For at least the reasons above, it is respectfully submitted that claims 1-8 are distinguished from the cited art. Favorable reconsideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings, Reg. No. 48,917, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

Dated: May 30, 2008

Respectfully submitted,

By 
Chad J. Billings
Registration No.: 48,917
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicants